

The Regular Session was **called to order at 7:03 P.M.** by Mayor Stone with Councilmembers Simillion, Harriman, McKenna and Hart present along with City Attorney Landwehr, City Manager Collins, Deputy City Clerk Davidson, Finance Director Hanson, Community Development Director Hannon, Public Works Director Coleman, City Planner Cullis, a few citizens and the press.

Consent Agenda:

- A. Regular Session Minutes of July 23, 2002**
- B. Public Hearing Minutes of July 30, 2002**
- C. Public Hearing Minutes of August 6, 2002**
- D. Authorize Purchase of Star Compost Screen in the Amount of \$97,400.00**

Mayor Stone read the above-listed items for consideration on the Consent Agenda. The Mayor asked if any Councilmember or anyone present would like to have any of the Consent Agenda items removed for single consideration. No one commented.

Councilmember Simillion moved and Councilmember Hart seconded the motion to approve the Consent Agenda as submitted.

Roll call vote, yes: Simillion, Harriman, Stone, McKenna, Hart. So carried.

Roll call vote, no: None.

Pre-Scheduled Citizens: None.

Unfinished Business: None.

New Business:

- A. Appointment of David Mear to the City Building Board of Appeals**

Councilmember Simillion moved and Councilmember Harriman seconded the motion to appoint David Mear to the City Building Board of Appeals.

Roll call vote, yes: Harriman, Stone, McKenna, Hart, Simillion. So carried.

Roll call vote, no: None.

Mayor Stone thanked Mr. Mear, who was not present, for volunteering to serve on this board.

- B. VF-02-4 Alley Vacation Request from Navid Navidi for a Portion of the East-West Alley in Block 31, West Gunnison Amended. City Planner Cullis**

stated the Planning and Zoning Commission recommendation is to approve the vacation of the alley with the condition of reserving a 15 foot wide utility easement for current and future utilities. Planner Cullis then read into the record the following findings of fact: No parcel will be denied public access by the vacation; and the application to vacate does not conflict with the goals of the City of Gunnison Master Plan.

Councilmember McKenna moved and Councilmember Hart seconded the motion to accept the recommendation from the Planning and Zoning Commission and authorize the vacation of a portion of the East-West Alley in Block 31, West Gunnison Amended with the condition of the reservation of a 15 foot wide utility easement and to instruct the City Attorney to draw up an ordinance affecting the alley vacation.

Roll call vote, yes: Stone, McKenna, Hart, Simillion, Harriman. So carried.

Roll call vote, no: None.

- C. Motion to Approve Stipulation and Agreement Between the Upper Gunnison River Water Conservancy District and the City of Gunnison for In-stream**

Flow Rights for the Gunnison River Whitewater Park. City

Manager Collins informed Council there is a memo in their Council packets from City Water
Regular Session Minutes
August 13, 2002
Page Two

Attorney Timothy Beaton regarding in-stream water rights at the Gunnison River Whitewater Park now under construction by the twin bridges on West Highway 50. Mr. Beaton states the City of Gunnison water interests are protected under this Stipulation. The Stipulation and Agreement, drafted by Mr. Beaton, went to the Upper Gunnison River Water Conservancy District's Attorney Cindy Covell, who, with the District's approval, signed for them, and the document is now ready for the City's acceptance. The City Manager stated the next step is for Council to make a motion to accept the Stipulation and Agreement between the Upper Gunnison River Water Conservancy District and the City of Gunnison and to authorize City Water Attorney Timothy Beaton to sign the Agreement for the City. The City Manager commended Mr. Beaton for all of his work on this year-long process.

Councilmember Harriman asked if there are any negatives to this Agreement. City Attorney Landwehr stated he is not aware of any negatives. The Agreement still allows the City to object to any future filings that would affect the City's water rights. Public Works Director Coleman agreed with the City Attorneys statement.

Councilmember Harriman moved and Councilmember McKenna seconded the motion to approve the Stipulation and Agreement between the Upper Gunnison River Water Conservancy District and the City of Gunnison for In-Stream Flow Rights for the Gunnison River Whitewater Park and authorize City Water Attorney Timothy J. Beaton to sign the Agreement for the City of Gunnison.

Roll call vote, yes: McKenna, Hart, Simillion, Harriman, Stone. So carried.

Roll call vote, no: None.

D. 2nd Quarter 2002 Financial Update - Wendy Hanson. Finance Director Hanson reviewed the 2nd Quarter 2002 Financial Update with the Council. She indicated three supplemental budget appropriation requests would be coming forward for Council's consideration in the next month or two. One would be for unanticipated costs in the General Fund to cover the Hells Angels Rally expenses, the second will be for the City shop wash bay that was not completed until 2002, and the third will be for expenses for the substation transformer. Discussion ensued about the decrease in revenues in the sewer fund. A portion of this is due to decreased revenues at the City dump station and the inflow and infiltration repairs that were made to the Dos Rios Island sewer mains that decreased the flow being treated by the Dos Rios Sewer District. Finance Director Hanson informed Council that sales tax is down 1.56% year-to-date. These revenues are through the end of June. July sales tax is still being tabulated. Council thanked the Finance Director for her report.

Ordinance and Resolutions:

A. Ordinance No. 8, Series 2002, Re: Lease Purchase Financing for New City Shops Storage Building, 2nd Reading.

Councilmember Simillion introduced Ordinance No. 8, Series 2002, and it was read by title only by the City Attorney.

Councilmember Simillion moved and Councilmember Hart seconded the motion that Ordinance No. 8, Series 2002, **AN ORDINANCE AUTHORIZING THE MAYOR AND THE CITY CLERK TO EXECUTE A SUPPLEMENT TO THE EXISTING GOVERNMENTAL LEASE PURCHASE AGREEMENT WHICH CONTAINS AN OPTION TO PURCHASE WHEREIN WELLS FARGO BROKERAGE SERVICES, LLC, IS LESSOR, AND THE CITY OF GUNNISON, COLORADO, IS LESSEE, FOR A STORAGE BUILDING FOR THE CITY OF GUNNISON PUBLIC WORKS DEPARTMENT,** be introduced, read, passed

and adopted this 13th day of August, 2002.

Regular Session Minutes
August 13, 2002
Page Three

Roll call vote, yes: Hart, Simillion, Harriman, Stone, McKenna. So carried.
Roll call vote, no: None.

City Attorney: Nothing to report.

City Manager: Informed Council: There will be a WSC Advisory Board meeting at the Aspinall-Wilson Center this Thursday morning, August 15, 2002, at 7:30 A.M. Mayor Stone indicated he would attend with the City Manager.

Acting City Manager: Community Development Director Hannon: Nothing to report.

Non-Scheduled Citizens: Ken Deming and Jim Gelwicks, representatives of the American Legion, came forward to address Council. They are seeking the City's support of an American Legion Program called "Day to Remember". This program will take place on September 11, and will include the ringing of church bells at the time the four planes crashed in New York, Washington D.C., and Pennsylvania, a program at Legion Park that will include the Mayor reading a proclamation supporting the program, and honoring of our local police and fire fighters. No money is being asked of the City. Mr. Gelwicks reminded Council September 11, is also the anniversary date of the Gunnison High School bus accident on Monarch Pass. A memorial of that event may be incorporated into this program.

Councilmember Harriman moved and Councilmember Simillion seconded the motion to morally and spiritually support the endeavor of the "Day to Remember" program being sponsored by the American Legion and to instruct City Staff to prepare a resolution stating that support for the next Regular Session meeting of Council.

Roll call vote, yes: Simillion, Harriman, Stone, McKenna, Hart. So carried.
Roll call vote, no: None.

General Discussion/Items for Work Sessions:

Mayor Stone: Reported on the Mayors/Managers Meeting he and the City Manager attended last week in Pitkin. The County reported they have received \$150,000 in Energy Impact Grant Funds for the telescope project. The North Sewer Line Project is also eligible for \$600,000 in funds if matching funds are raised. The County is also investigating cloud seeding. The Gunnison Valley Economic Development Corporation continues to work on the theater project. Western State reports fall registration is up approximately 100 students and while they didn't get the \$1.2 million increase they requested from the State, they were not cut any either. CBMR is requesting a new official weather site rather than the existing very cold Gunnison official site. Mt. Crested Butte reported their sales tax is down 6% in June. The Town of Pitkin reported they had received a \$117,000 FEMA Grant for the purchase of firefighting equipment.

Councilmember Hart: Reported the Customer Service Work Team met on August 8, and this month's ESP Award went to Gail Davidson.

Councilmember Simillion: Had nothing to report except that he is concerned about the sales tax revenue situation.

Councilmember Harriman and McKenna: Nothing to report.

Deputy City Clerk Davidson: Informed Council there is nothing at this time on the agenda for next week's scheduled Work Session. Council agreed to not meet next week.

Adjourned at 7:35 P.M.

Mayor

Deputy City Clerk